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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
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EXAMINER

PATEL, HARESH N

ART UNIT PAPER NUMBER

2154

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/08/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/08/2007.

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Office Action Summary

Application No.

09/898,549

Applicant(s)

KOVACS ET AL.

Examiner

Haresh Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7 and 9-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7 and 9-15 is/are rejected.
- 7) ☒ Claim(s) 1-5, 7, 9-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-5, 7 and 9-15 are subject to examination. Claims 6 and 8 are cancelled.

Claim Objections

2. Claims 1-5, 7 and 9-15 are objected to because of the following informalities:

Claim 1 mentions, "the portal application comprising instruction for", which should be --the portal application comprising the instructions for-- (note: the instructions claimed are for providing access from the client). Similar applies to claims 7 and 11.

Claim 1 mentions, "embodied on", which should be --embodied in--. Similar applies to claims 7 and 11.

Claim 9 mentions, "on a multipurpose computer", which should be --by a multipurpose computer".

Claim 11 mentions, "configured to perform administrative", which should be --to perform administrative--; "configured to perform client", which should be --to perform client--; "are designed to communicate", which should be --is designed to communicate--; "a model to the client,", which should be --a model to the client;-- (semicolon); "a first of the special services", which should be --a first special service of the special services--; considering the claimed, "instructions for:" and "the first special service".

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

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Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-5, 7 and 9-15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 1 and its dependant claims do not produce concrete and tangible results. Claim 1 claim instructions for: a portal core service; a user management core service; a plurality of special services; however, the services do not perform/implement anything and the result is produced that is concrete and tangible. The instructions do not produce a concrete and tangible result that is used in a disclosed practical application or at least made available for use in a disclosed practical application or provided to a user that it becomes a tangible result, which enables any usefulness of having done the instructions to be realized (please see the claimed subject matter of the claims). Further the claim contain, "instructions which causes a processor-based device to provide access", however, without executing the instructions utilizing the processor, it is not possible to provide the access. Similar applies to claims 7 and 11 and their dependent claims. Claim 9 contain "a request ... for user management and/or administrative processing"; however, the established direct communication link is not utilized for the client to provide any services".

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

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4. Following claims are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 and its dependent claims recite the limitations, “the model-view-controller”.

There is insufficient antecedent basis for this limitation in the claim (Please see MPEP 706.03(d)).

Claim 9 and its dependent claims recite the limitations, “the Model-View-Controller”.

There is insufficient antecedent basis for this limitation in the claim (Please see MPEP 706.03(d)).

Claim 11 and its dependent claims recite the limitations, “the presentation”. There is insufficient antecedent basis for this limitation in the claim (Please see MPEP 706.03(d)).

Claims 1 and 11, and their dependent claims recite the limitations, “directly, via the controller of the special service”. These limitations are indefinite for failing to particularly point out and distinctly claim the subject matter in the claim as per MPEP rules and guidelines, MPEP 706.03(d). “via” is contrary of “directly” and “directly” is not same as “direct communication link”, please see claim 9.

Further, claims 1, 7, 9, 11 and their dependent claims recite the limitations regarding the services for the client. However it is not apparent how (it is not possible) to provide the services without utilizing a network for the client.

Claim Rejections - 35 USC § 103

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5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Helgeson et al. 6,643,652 (Hereinafter Helgeson) in view of Gershman et. al. 6,199,099 (Hereafter Gershman).

7. As per claims 1 and 9, Helgeson teaches the following:

a portal application embodied on a tangible computer readable medium comprising instructions which causes a processor-based device to provide access from a client (e.g., figures 1, 3) to a multimedia service, the portal application comprising instructions for: (e.g., col., 51, lines 25 – 52),

a portal core service (e.g., figures 1, 3, col., 4, lines 39 – 54, col., 5, line 56 – col., 6, line 11, col. 7, lines 47 – 61),

a user management core service (e.g., figures 1, 3, col., 4, lines 39 – 54, col., 5, line 56 – col., 6, line 11, col. 7, lines 47 – 61); and

wherein the portal application comprises a plurality / two of special services (e.g., col., 4, lines 39 – 54, col., 5, line 56 – col., 6, line 11, col. 7, lines 47 – 61),

each structured according to the model-view-controller architecture (e.g., col., 11, lines 28 – 45, col., 49, line 55 – col., 50, line 10, col., 50, line 53 – col., 51, line 40), and

each of said special services (e.g., col., 4, lines 39 – 54, col., 5, line 56 – col., 6, line 11, col. 7, lines 47 – 61), comprising

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at least one model containing data (e.g., database management system 309, col. 11, lines 27 – 38, col., 49, line 55 – col., 50, line 10),

a controller for the special service (e.g., col., 51, lines 54 – col., 52, line 38) and

at least one view for the presentation of data of a model (col., 49, line 55 – col., 50, line 10),

wherein each of the plurality of special services (e.g., col., 4, lines 39 – 54, col., 5, line 56 – col., 6, line 11) are designed to communicate with each of a remaining plurality of special services / the other special services, usage of controller of the special service / via a respective controller (e.g., col., 11, lines 28 – 45, col., 49, line 55 – col., 50, line 10, col., 50, line 53 – col., 51, line 40) using the controller (e.g., col., 51, lines 54 – col., 52, line 38, col. 11, lines 27 – 38),

a plurality of views (e.g., an application would typically also include UI components (such as JSP pages or servlets) which would use such business components, col., 27, lines 20-47), for the presentation of data of different mark-up languages (e.g., HTML, XSL/XSLT, WAP/WML, etc. figure 4),

multimedia service comprises a portal application (e.g., services offered by information server, interface server, business server of the SABA business platform, figure 17),

sending a request to a first core service responsible for user management and/or administrative processing (e.g., communication between the applications, common business objects and the core services, figure 5),

forwarding, according to the model-view-controller architecture (e.g., col., 11, lines 28 – 45, col., 49, line 55 – col., 50, line 10, col., 50, line 53 – col., 51, line 40), the request from the

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first core service (e.g., figure 5, block 503) to a second special service (e.g., figure 5, blocks, 529, 531), and

establishing a communication between the client and the second special service (e.g., client connection to the SABA business platform services supported by the interface server, figure 17, The present mechanism provides a solution to the needs described above through a system and method for managing data exchange among systems in a network. The systems and methods of the present mechanism translate data from a system specific local format to a generic interchange format object, and vice versa, with predefined stylesheets using generic components and a system specific service components which utilize a native application programming interface of the specific local system, abstract).

However, Helgeson do not specifically mention about communicating with each of a remaining plurality of services directly (direct communication link), via controller.

Gershman discloses the well-known concept of communicating with each of a remaining plurality of services directly (direct communication link) (e.g., paragraphs 181, 281-284, 289), via controller (e.g., 286 – 288, 384 – 388).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Helgeson with the teachings of Gershman in order to facilitate communicating with each of a remaining plurality of services directly (direct communication link) / via controller because the direct (direct communication link) / via controller communication would provide enhanced way of communicating between services. The services would provide information to each other using the enhanced communication mechanism.

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8. Claims 2-5, 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Helgeson and Gershman in view of Conner et al., 6,718,515 (Hereinafter Conner).

9. As per claims 2-5, 7, 10, Helgeson and Gershman disclose the claimed limitations as rejected above. Helgeson also teaches the following:

a controller (e.g., Servlet, col., 27, lines 20-47) of a service is designed to select one of a plurality of views (e.g., Java Server Pages, col., 27, lines 20-47) of the service in accordance with a mark-up language used, the state of the controller is a function of a client's request, the special services are distributed over a network (e.g., HTML, XSL/XSLT, WAP/WML, etc. figure 4, The present mechanism provides a solution to the needs described above through a system and method for managing data exchange among systems in a network. The systems and methods of the present mechanism translate data from a system specific local format to a generic interchange format object, and vice versa, with predefined stylesheets using generic components and a system specific service components which utilize a native application programming interface of the specific local system, abstract),

a state of the controller is determined in accordance with an earlier client's request (e.g., col., 114, lines 48 – 57, col., 11, lines 28 – 45, col., 49, line 55 – col., 50, line 10, col., 50, line 53 – col., 51, line 40) and forwarding according to the model view controller architecture (e.g., col., 11, lines 28 – 45, col., 49, line 55 – col., 50, line 10, col., 50, line 53 – col., 51, line 40),

a controller of a service is designed to control at least second controller (e.g., col., 27, line 20 – col. 28, line 45),

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wherein said controller is contained in said service or in a different service (e.g., Servlet controlling another servlet handling a service , col., 27, line 20 – col. 28, line 45),

the controller of a service is designed to control a plurality of views each of said plurality of views allows a different presentation (e.g., col., 27, line 20 – col. 28, line 45),

said plurality of views is representative of at least two different mark-up languages (e.g., col., 27, line 20 – col. 28, line 45, figure 4),

service relative content and a state of the controller is determined in accordance with an earlier client's request (e.g., col., 114, lines 48 – 57, col., 11, lines 28 – 45, col., 49, line 55 – col., 50, line 10, col., 50, line 53 – col., 51, line 40),

in accordance with at least one of a browser characteristic of the client, device characteristics, time and/or date location, language, and one or more user preferences (e.g., depending on locales, languages, timezones, and display formats, etc., col., 7, lines 5 – 61).

However, Helgeson and Gershman do not specifically mention about service relative content of each of said plurality of views is identical.

Conner discloses the well-known concept of service relative content of each of said plurality of views is identical (e.g., paragraph 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Helgeson and Gershman with the teachings of Conner in order to facilitate service relative content of each of said plurality of views is identical because the plurality of views would utilize the same content information. Utilizing the same content information would avoid duplicate effort for supporting different view.

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Response to Arguments

10. Applicant's arguments filed 12/26/2006 have been fully considered but they are not persuasive. Therefore, rejection of claims 1-5, 7, 9, 10 is maintained. Please refer to the responses and the rejections of the office action dated 12/6/2006 and 8/24/2006 regarding remarks for the claims 1-5, 7, 9, 10, as the responses and the rejections of the office action dated 12/6/2006 and 8/24/2006 are still applicable and maintained. Newly claims 11-15 would be allowable if they overcome the 35 U.S.C. 101/112/objections that are made in this office action.

Allowable Subject Matter

11. Claims 11-15 would be allowable if they overcome the 35 U.S.C. 101/112/objections that are made in this office action.

Conclusion

Examiner has cited particular columns and line numbers and/or paragraphs and/or sections and/or page numbers in the reference(s) as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety, as potentially teaching, all or part of the claimed invention, as well as the context of the passage, as taught by the prior art or disclosed by the Examiner.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

In order to speed up the prosecution of this case, the examiner suggests the following changes to the claim 11 and replacement of the claims 1-5, 7, 9, 10 with methods claims identical to the claims 11-15.

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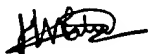
Claim 11: A portal application, embodied ~~on~~ in a tangible computer readable medium, comprising instructions which when executed by a processor causes a the processor-based device to provide access through a network from a client to a multimedia service provider via a portal, the portal application comprising instructions for: a portal core service ~~configured~~ to perform administrative services; a user management core service ~~configured~~ to perform client related services; ~~and~~ a plurality of special services distributed over the network, each structured according to a model-view-controller architecture, each of said special services comprising: at least one model containing data; a controller for the special service; ~~and~~ at least one view for ~~the~~ a presentation of the data of a model to the client; ~~wherein~~ each of the plurality of special services ~~are designed to~~ communicate with each of a remaining plurality of special services using a direct communication directly, via the controller of the special service, the portal core service and the user management core service are located at the portal and the plurality of special services are located at the multimedia service provider, the portal core service and the user management core service are configured to forward a request from the client to a first special service of the special services, ~~and~~ the first special service is configured to forward the request from the client to a second special service of the plurality of special services when the second special service has more specific information than the first special service; and a direct communication link is established between the client and the second special service to provide service to the client.

Note: Regarding the usage of "wherein" and/or "whereby" in the claimed subject matter of the claims, the claim scope is not limited by claim language that suggests or makes optional but does not require steps to be performed, or by claim language that does not limit a claim to a particular structure. Please see *Minton v. Nat'l Ass'n of Securities Dealers, Inc.*, 336 F.3d 1373, 1381, 67 USPQ2d 1614, 1620 (Fed. Cir. 2003)), MPEP 2111.

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A handwritten signature in black ink, appearing to read 'Haresh Patel', with a stylized flourish at the end.

Haresh Patel

February 28, 2007